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Attorney for:
US Bank Trust N.A. as trustee of the Igloo Series III Trust

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA

In re:

Ana Hilda Herrera,

Debtor.

) Case No. 17-00209-MM13

)

) RS # MRG-1

)

) Chapter 13

)

)

) **DECLARATION REGARDING DEFAULT**
) **UNDER THE ADEQUATE PROTECTION**
) **ORDER**

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1 I, RAYMOND VAIDYARAJA JR, declare:

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3 1. I am employed as ASSISTANT VICE PRESIDENT by BSI Financial Services
4 Inc, which services the subject loan on behalf of US Bank Trust N.A. as Trustee of the Igloo
5 Series III Trust ("Movant").


6 2. I make this declaration based upon the facts testified herein, all of which are in my
7 personal knowledge, unless stated upon information and belief. As to the statements made upon
8 information and belief, I believe them to be true. If called as a witness, I could and would
9 competently testify thereto.

10 3. I am personally familiar with the books, records and files of Movant that pertain to loans
11 and extensions of credit given to Debtor Wei Chun Lee (hereinafter referred to as "Debtors")
12 concerning the Property commonly known as 1903 Parrot Street., San Diego, CA 92105 (the
13 "Property"). I have personally worked on books, records and files, and as to the following facts,
14 I know them to be true of my own knowledge or I have gained knowledge of them from the
15 business records of Movant on behalf of Movant, which were made at or about the time of the
16 events recorded, and which are maintained in the ordinary course of Movant's business at or near
17 the time of the acts, conditions or events to which they relate. Any such document was prepared
18 in the ordinary course of business of Movant by a person who had personal knowledge of the
19 event being recorded and had or has a business duty to record accurately such event. The
20 business records are available for inspection and copies can be submitted to the court if required.

21 4. BSI received the debtor's cashier's check in the amount of \$6875.00. It was credited to
22 the debtors account on November 19th 2018. A true and correct copy of the payment history is
23 attached as Exhibit 1.

24 5. Debtors were not current on their obligations when the payment was received.
25 The payment made it so the debtors account was paid through the April 1 2018 payment.
26 Debtors remained due for additional payments and failed cure the Notice of Default that was
27 mailed to them on December 3, 2018.
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1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct and executed this 8th day of January 2019 at _____
3 IRVINE, CALIFORNIA.
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8 Raymond Vanderkam

9 Declarant
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EXHIBIT “1”

BK Case	17-00209	* Prior to 12/2011 payment changes were not required to be filed in courts or with Proof of claim			
BK Filing Date	1/17/2017				
First Post pet date	2/1/2017				
Pmt Change Filed	Filing Date	Effective date	Amount		
POC pmt Filed	2/6/2017	2/1/2017	\$ 1,367.27		
Pmt Change Filed	6/6/2017	7/1/2017	\$ 1,367.19		
Pmt Change Filed					
Date Rcvd	Amount Rcvd/Rvd		Amount Due	Due Date	Suspense
7/18/2017	\$2,751.58		\$ 1,367.27	2/1/2017	\$ 1,384.31
			\$ 1,367.27	3/1/2017	\$ 17.04
			\$ 1,367.27	4/1/2017	\$ -1,350.23
			\$ 1,367.27	5/1/2017	\$ -2,717.50
			\$ 1,367.27	6/1/2017	\$ -4,084.77
			\$ 1,367.19	7/1/2017	\$ -5,451.96
			\$ 1,367.19	8/1/2017	\$ -6,819.15
AO Applied.					
9/26/2017	\$484.00				\$ 484.00
10/24/2017	\$5,503.16		\$ 1,367.19	9/1/2017	\$ 4,619.97
12/19/2017	\$1,375.79	Stip	\$ 1,136.52	9/15/2017	\$ 4,859.24
12/19/2017	\$1,375.79		\$ 1,367.19	10/1/2017	\$ 4,867.84
		Stip	\$ 1,136.52	10/15/2017	\$ 3,731.32
		Due	\$ 1,367.19	11/1/2017	\$ 2,364.13
		Stip	\$ 1,136.52	11/15/2017	\$ 1,227.61
3/6/2018	1375.79		\$ 1,367.19	12/1/2017	\$ 1,236.21
		Stip	\$ 1,136.52	12/15/2017	\$ 99.69
4/26/2018	734.55		\$ 1,367.19	1/1/2018	\$ -532.95
		Stip	\$ 1,136.52	1/15/2018	\$ -1,669.47
7/11/2018	1469.1		\$ 1,367.19	2/1/2018	\$ -1,567.56
		Stip	\$ 1,136.52	2/15/2018	\$ -2,704.08
11/1/2018	734.55		\$ 1,367.19	3/1/2018	\$ -3,336.72
11/19/2018	6875		\$ 1,367.19	4/1/2018	\$ 2,171.09
12/5/2018	734.55		\$ 1,367.19	5/1/2018	\$ 1,538.45
			\$ 1,367.19	6/1/2018	\$ 171.26
			\$ 1,367.19	7/1/2018	\$ -1,195.93
			\$ 1,367.19	8/1/2018	\$ -2,563.12
			\$ 1,367.19	9/1/2018	\$ -3,930.31
			\$ 1,367.19	10/1/2018	\$ -5,297.50
			\$ 1,367.19	11/1/2018	\$ -6,664.69
			\$ 1,367.19	12/1/2018	\$ -8,031.88
			\$ 1,367.19	1/1/2019	\$ -9,399.07

[illegible]

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Attorney for Creditor
U.S. Bank Trust N.A., as Trustee of the Igloo Series III Trust

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA – SAN DIEGO DIVISION

In Re:)	CASE NO.: 17-00209-MM13
)	
Ana Hilda Herrera,)	CHAPTER 13
Debtors.)	
)	CERTIFICATE OF SERVICE
)	
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CERTIFICATE OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of eighteen and not a party to the within action. My business address is: 1920 Old Tustin Avenue, Santa Ana, CA 92705.

I am readily familiar with the business's practice for collection and processing of correspondence for mailing with the United States Postal Service; such correspondence would

1 be deposited with the United States Postal Service the same day of deposit in the ordinary
2 course of business.

3 On January 9, 2019 I served the following documents described as:

4
5 • **DECLARATION RE: DEFAULT UNDER THE ADEQUATE PROTECTION
6 ORDER**

7 on the interested parties in this action by placing a true and correct copy thereof in a sealed
8 envelope addressed as follows:

9 (Via United States Mail)

10 **Debtor**

11 Ana Hilda Herrera
12 1903 Parrot Street
13 San Diego, CA 92105

14 **Debtor's Counsel**

15 Janet Gutierrez
Gutierrez & Associates
350 Tenth Avenue, suite 1049
San Diego, CA 92101

Trustee

Thomas H. Billingslea
401 West A Street, Suite 1680
San Diego, CA 92101

U.S. Trustee

Office of the U.S. Trustee
880 Front Street
Suite 3230
San Diego, CA 92101

16 xx (By First Class Mail) At my business address, I placed such envelope for deposit with
17 the United States Postal Service by placing them for collection and mailing on that date
18 following ordinary business practices.

19 _____ Via Electronic Mail pursuant to the requirements of the Local Bankruptcy Rules of the
20 Eastern District of California

21 xx (Federal) I declare under penalty of perjury under the laws of the United States of
22 America that the foregoing is true and correct.

23 Executed on January 9, 2019 at Santa Ana, California

24 /s/ Krystle Miller
Krystle Miller